

August 30, 2012

VIA ECFS

Ms. Marlene H. Dortch
Secretary
Office of the Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Notice of *Ex Parte* Meeting

Re: **Ex Parte Contact in Universal Service Contribution Methodology, WC Docket No. 06-122**

Dear Ms. Dortch:

On Wednesday, August 29, 2012, Greg Jackson of EDUCAUSE and the undersigned, on behalf of EDUCAUSE, met with Vickie Robinson, Ernesto Beckford and Charles Eberle of the Telecommunications Access Policy Division to discuss the above-captioned proceeding.

Most of the points made by EDUCAUSE reiterated the comments filed by EDUCAUSE and the other Higher Education Associations earlier this proceeding – that the current contribution system is flawed and does not reflect the current marketplace, that a numbers-based system would be inconsistent with the Commission's goals because having a telephone number does not reflect one's actual use of the Public Switched Telephone Network, that imposing a fee based on telephone numbers would be particularly unfair and burdensome for institutions of higher education that may need telephone numbers but do not make many long distance calls, and that higher education stands ready to work with the Commission if it chooses to implement a connections-based system or adjust the revenues-based system.

EDUCAUSE provided the FCC staff with a copy of the attached research bulletin entitled "Networking, Telephony and USF Patterns" published in July, 2012. This bulletin summarizes a sample survey of higher education institutions conducted earlier this year. It found that, in general, higher education would pay about 20 times more in USF fees under a numbers-based regime if the per-number fee were set at \$1.64. In our oral discussion with the Commission staff, we noted that, if the per-number fee were instead set at \$1 per number, higher education institutions would still be required to pay about 12 times more in USF fees than they do today. We noted that there is no opportunity for higher education to recover these additional fees from end users (because the college/university is already an end user). The added funds to pay the higher USF fees would have to come from faculty or staff salaries or reductions in other services provided to students.

We also emphasized that the Commission should continue the policy adopted in 1997 of treating colleges, universities, schools and libraries as "end users" and not as "providers" of telecommunications. We noted that it will be especially important for the Commission to re-state this longstanding policy if it adopts a "definitional" approach to identifying those who should pay into the system so the new definition is not interpreted as overturning the previous policy.

EDUCAUSE also emphasized the importance of maintaining the distinction between private networks and public networks. Private networks (such as the inside wire in homes and buildings, intra-corporate networks, and internal campus networks) serve a closed set of users, are separate from the public network and should not be required to support the costs of those public networks.

Pursuant to the Commission's rules, this notice is being filed in the above referenced docket. Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "John Windhausen, Jr." with a stylized flourish at the end.

John Windhausen, Jr.
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cc: Trent Harkrader
Vickie Robinson
Ernesto Beckford
Charles Eberle